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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

ROBERT LEE SPRATLIN,

Defendant and Appellant.

B206601

(Los Angeles County
Super. Ct. No. TA088262)

ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]

THE COURT*:

It is ordered that the opinion filed herein on July 7, 2009, be modified as follows:

1. On page 3, first partial sentence, the words “in the driveway” are changed to “outside” so the full sentence reads:

Detective Garrido drove past the Denver Avenue address and saw Spratlin’s Cadillac outside.

2. On page 3, the fifth sentence of the second full paragraph, “on one side, and female clothing on the other side” is deleted so the sentence reads:

In the bedroom closet was male clothing that looked like it would fit Spratlin.

3. On page 5, the second sentence of the first full paragraph, “the Denver Avenue address was subject to a parole search as Spratlin’s residence, and that” is deleted so the sentence reads:

The prosecution argued that if it was not his residence, Spratlin had no reasonable expectation of privacy under the Fourth Amendment.

4. On page 6, the second sentence of the third full paragraph, change “in the Denver Avenue driveway” to “outside the Denver Avenue address” so the sentence reads:

He saw the Cadillac outside the Denver Avenue address and, although he could not remember whether he ran the plates, he testified that he then checked Spratlin’s record and found that Denver Avenue was a prior address.

There is no change in the judgment.

Appellant’s petition for rehearing is denied.

*MALLANO, P. J.

ROTHSCHILD, J.